

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

MYRA BROWN and ALEXANDER
TAYLOR,

Plaintiffs,

v.

U.S. DEPARTMENT OF EDUCATION and
MIGUEL CARDONA, in his official capacity as
Secretary of Education,

Defendants.

Civil Action No. 4:22-cv-00908-P

NOTICE OF SUPPLEMENTAL AUTHORITY

Defendants respectfully submit this notice to inform the Court of a noteworthy development in another case challenging the Secretary of Education's decision to discharge a limited measure of federal student-loan debt pursuant to the HEROES Act. In *Garrison v. U.S. Department of Education*, No. 1:22-cv-1895-RLY-TAB (S.D. Ind.), as here, individual student loan borrowers brought a lawsuit attempting to enjoin the Secretary, on a nationwide basis, from discharging any student-loan debts pursuant to the policy at issue in this litigation. The district court dismissed that case for lack of standing, *Garrison v. U.S. Dep't of Education*, 2022 WL 16509532 (S.D. Ind. Oct. 21, 2022), the Seventh Circuit denied the plaintiffs' motion for an injunction pending appeal, *Garrison v. Dep't of Education*, No. 22-2886, 2022 WL 16626750 (7th Cir. Oct. 28, 2022), and the plaintiffs petitioned the Supreme Court for a motion for injunction pending appeal. On November 4, 2022, Justice Barrett, as Circuit Justice for the Seventh Circuit, denied the plaintiffs' application. *See* Ex. 1.

Dated: November 8, 2022

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

BRIAN D. NETTER
Deputy Assistant Attorney General

MARCIA BERMAN
Assistant Branch Director

/s/ Kate Talmor
KATE TALMOR (Md. Bar)
R. CHARLIE MERRITT
CODY T. KNAPP
SAMUEL REBO
Trial Attorneys
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
(202) 305-5267
kate.talmor@usdoj.gov

Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record are CM/ECF participants and service of this filing will be accomplished through filing on the public docket.

/s/ Kate Talmor
KATE TALMOR (Md. Bar)